

106TH CONGRESS
1ST SESSION

H. R. 2772

To amend the Agricultural Market Transition Act to provide a variant of loan deficiency payments to producers who are otherwise eligible for such payments, but who elect to use acreage planted to the eligible commodity for the grazing of livestock.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 5, 1999

Mr. LUCAS of Oklahoma introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Agricultural Market Transition Act to provide a variant of loan deficiency payments to producers who are otherwise eligible for such payments, but who elect to use acreage planted to the eligible commodity for the grazing of livestock.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PAYMENT IN LIEU OF A LOAN DEFICIENCY PAY-**
4 **MENT.**

5 (a) IN GENERAL.—Section 135 of the Agricultural
6 Market Transition Act (7 U.S.C. 7235) is amended by
7 adding at the end the following new subsection:

1 “(e) PAYMENTS IN LIEU OF LOAN DEFICIENCY PAY-
2 MENTS.—

3 “(1) ELIGIBILITY.—In the case of a producer
4 who would be eligible for a loan deficiency payment
5 under this section for a loan commodity, but who
6 elects to use acreage planted to the commodity for
7 the grazing of livestock, the Secretary shall make a
8 payment to the producer under this subsection if the
9 producer enters into an agreement with the Sec-
10 retary to forego any other harvesting of the com-
11 modity on that acreage during that crop year.

12 “(2) CALCULATION.—The payment under this
13 section shall be calculated by multiplying—

14 “(A) the loan deficiency payment rate de-
15 termined under subsection (c) in effect, as of
16 the date of the agreement, in the county in
17 which the acreage is located; by

18 “(B) the quantity of the loan commodity
19 involved, which shall be determined by
20 multiplying—

21 “(i) the total acreage on which the
22 producer agrees to forego harvest; by

23 “(ii) the higher of the producer’s es-
24 tablished yield for the commodity or the

1 county average yield for the commodity, as
2 determined by the Secretary.

3 “(3) TIME FOR PAYMENT.—A payment under
4 this subsection shall be made as soon as practicable
5 after the producer and the Secretary enter into the
6 agreement required by paragraph (1), without re-
7 gard to the stage of maturity of the loan commodity
8 involved.”.

9 (b) IMPLEMENTATION.—Within 90 days after the
10 date of the enactment of this Act, the Secretary of Agri-
11 culture shall issue regulations to carry out the amendment
12 made by subsection (a). The issuance of the regulations
13 shall be made without regard to—

14 (1) the notice and comment provisions of sec-
15 tion 553 of title 5, United States Code;

16 (2) the statement of policy of the Secretary of
17 Agriculture effective July 24, 1971 (36 FR 13804),
18 relating to notices of proposed rulemaking and pub-
19 lic participation in rulemaking;

20 (3) chapter 35 of title 44, United States Code
21 (commonly known as the “Paperwork Reduction
22 Act”); and

1 (4) other provisions of law which would delay
2 the implementation of the amendment made by sub-
3 section (a) beyond 90 days.

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